

Defendant: Istituto Nazionale di Statistica — ISTAT

Questions referred

1. Must the concept of 'public intervention in the form of general regulations applicable to all units working in the same activity' referred to in Paragraph 20.15 of [Annex A to] Regulation (EU) No 549/2013 ⁽¹⁾ ('the ESA 2010') be understood broadly as covering also the powers of guidance of a sporting nature (so-called soft law) and the powers of recognition, laid down by law, for the purposes of acquiring legal personality and enablement powers in the sports sector, both powers relating generally to all Italian national sports federations?
2. Must the general indicator of control referred to in Paragraph 20.15 of [Annex A to] Regulation (EU) No 549/2013 ('the ESA 2010') (the ability to determine the general policy or programme of [a non-profit institution]) be interpreted in a substantive sense as the ability to manage, constrain and influence the management activity of the non-profit institution or can it be understood in a non-technical sense as also covering powers of external supervision other than those defined by the specific indicators of control referred to in subparagraphs (a), (b), (c), (d) and (e) of Paragraph 20.15 (such as, for example, powers to approve budgets, appoint auditors, and approve statutes and certain types of regulations, sports guidelines or recognition for the purposes of sport)?
3. On the basis of the combined provisions of Paragraphs 20.15, 4.125 and 4.126 of [Annex A to] Regulation (EU) No 549/2013 ('the ESA 2010'), can account be taken of membership fees for the purposes of establishing the existence or otherwise of public control, specifying whether a high level of such fees, together with other own revenues, can demonstrate, in the light of the particular features of the case at issue, that the non-profit institution has significant ability to exercise self-determination?

⁽¹⁾ Regulation (EU) No 549/2013 of the European Parliament and of the Council of 21 May 2013 on the European system of national and regional accounts in the European Union (Text with EEA relevance) (OJ 2013 L 174, p. 1).

Request for a preliminary ruling from the Tribunal correctionnel de Foix (France) lodged on 26 October 2017 — Procureur de la République v Mathieu Blaise and Others

(Case C-616/17)

(2018/C 022/36)

Language of the case: French

Referring court

Tribunal correctionnel de Foix

Parties to the main proceedings

Applicant: Procureur de la République

Defendants: Mathieu Blaise, Sabrina Dauzet, Alain Feliu, Marie Foray, Sylvestre Ganter, Dominique Masset, Ambroise Monsarrat, Sandrine Muscat, Jean-Charles Sutra, Blanche Yon, Kevin Leo-Pol Fred Perrin, Germain Yves Dedieu, Olivier Godard, Kevin Pao Donovan Schachner, Laura Dominique Chantal Escande, Nicolas Benoit Rey, Eric Malek Benromdan, Olivier Eric Labrunie, Simon Joseph Jeremie Boucard, Alexis Ganter, Pierre André Garcia

Other party: Espace Émeraude

Questions referred

1. Is Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾ compatible with the precautionary principle when it provides no specific definition of an active substance, leaving it to the applicant to determine what it designates as the active substance in its product and granting it scope to focus its whole application dossier on a single substance, while its end product placed on the market is made up of several substances?

2. Is the precautionary principle observed and the impartiality of the authorisation to place products on the market maintained when the tests, analyses and evaluations necessary for compilation of the dossier are conducted by the applicants alone, who may be biased in their presentation, without any independent counter-analysis or publication of the application reports on the pretext of protecting industrial secrecy?
3. Is Regulation (EC) No 1107/2009 compatible with the precautionary principle when it takes no account of there being multiple active substances or of their cumulative use, in particular when it makes no provision for any comprehensive specific analysis at European level of cumulation of active substances within a single product?
4. Is Regulation (EC) No 1107/2009 compatible with the precautionary principle when, in Chapters III and IV, it exempts from toxicity tests (genotoxicity, carcinogenicity assessment, assessment of endocrine disruptors, etc.) pesticide products in the commercial formulations in which they are placed on the market and in which consumers and the environment are exposed to them, requiring only summary testing, which is anyway performed by the applicant itself?

⁽¹⁾ OJ 2009 L 309, p. 1.

**Request for a preliminary ruling from the Tribunal d'instance de Limoges (France) lodged on
30 October 2017 — BNP Paribas Personal Finance SA v Roger Ducloux, Josée Ducloux, née Lecay**

(Case C-618/17)

(2018/C 022/37)

Language of the case: French

Referring court

Tribunal d'instance de Limoges

Parties to the main proceedings

Applicant: BNP Paribas Personal Finance SA, successor in title to Solfea

Defendants: Roger Ducloux, Josée Ducloux, née Lecay

Question referred

Where the annual percentage rate of credit is 5,97377 %, does the rule provided for in Directives 98/7/EC of 16 February 1998 ⁽¹⁾ and 2008/48/EC of 23 April 2008, ⁽²⁾ according to which, in the French version, '*Le résultat du calcul est exprimé avec une exactitude d'au moins une décimale. Si le chiffre de la décimale suivante est supérieur ou égal à 5, le chiffre de la première décimale sera augmenté de 1*' [translated in literal terms as '[t]he result of the calculation shall be expressed correct to at least one decimal place; if the figure at the following decimal place is greater than or equal to 5, the figure at [the first] decimal place shall be increased by one'] allow a stated annual percentage rate of charge of 5,95 % to be considered correct?

⁽¹⁾ Directive 98/7/EC of the European Parliament and of the Council of 16 February 1998 amending Directive 87/102/EEC for the approximation of the laws, regulations and administrative provisions of the Member States concerning consumer credit (OJ 1998 L 101, p. 17).

⁽²⁾ Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC (OJ 2008 L 133, p. 66).
